

APPROVED

**TOWN OF WESTFORD**

**BOARD OF SELECTMEN**

**MINUTES**

**DATE:** June 24, 2003

**TIME:** 7:30 P.M.

**PLACE:** Westford Academy Performing Arts Center

**PRESENT:** Christopher Romeo, Robert Jefferies, Allan Loiselle,  
Dini Healy-Coffin, James Silva

**OTHERS**

**PRESENT:** Steve Ledoux-Town Manager; Norman Khumalo-  
Assistant Town Manager; Audience Members

**Open Forum**

Richard Barrett, Highway Superintendent, reported that construction has begun on the new highway garage facility.

Richard Barrett, Highway Superintendent, introduced the new Town Engineer, Jim Arsenault. The Board welcomed Arsenault to the Town.

**Public Hearing – Joint Petition from Verizon New England and  
Massachusetts Electric for Placement of One Pole – Towne Farm  
Road**

Romeo opened the public hearing. Dave Agora, representing Mass Electric and Verizon, was present seeking permission to place one (1) pole on Towne Farm Road for better support of cables. There was no input from the floor. Loiselle was concerned that Mass Electric recently informed residents that the intersection of Muriel Drive and Lawson Road would be closed with boulders. The neighbors were given very short notice of the proposal. Several neighbors went to the Registry of Deeds in Lowell and found that they had legal access to the roadway. Loiselle asked that in the future Mass Electric do their homework to be better informed. **It was moved by Loiselle, seconded by Jefferies, and**

**VOTED UNANIMOUSLY, to close the public hearing. It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve the placement of one (1) pole on Towne Farm Road.**

### **Board Appointments**

#### **Conservation Commission**

**a) Unexpired Terms of Christie Williams and Bill Harman** – Eric Fahle, Chairman, Margaret Wheeler, Mary Trubey, Marilyn Frank and Peter Mahler met with the Selectmen to discuss appointments to the unexpired terms of Christie Williams and Bill Harman. Fahle reported that the Conservation Commission received 11 applications for the two vacancies. One applicant withdrew and the other 10 candidates were invited to be interviewed on Monday evening, June 23, 2003. The Commission interviewed 6 of the candidates that were present and came up with 2 recommendations for the Board's consideration. Romeo was concerned about the appropriate amount of time to be interviewed and noted that one of the candidates had another commitment. Healy-Coffin asked to table the appointments until the remaining 3 candidates could be interviewed. Healy-Coffin felt strongly about the position and the need to interview the other qualified candidates. Loiselle felt that by interviewing the 3 candidates later gives an unfair advantage to them because their interviews are fresh. Fahle suggested interviewing everyone again in fairness to all the candidates. Frank had no problem interviewing for a second evening and asked that the Selectmen and reporter for the Westford Eagle not share the questions with the public to preserve the integrity of the process. **It was moved by Healy-Coffin, seconded by Silva for discussion, to table the appointments to the Conservation Commission and that they try to meet with the candidates who could not make it and have a name for the Board of Selectmen within one month.** Lauren Coffey, 178 Concord Road, asked for clarification regarding the appointment process as she left her vacation to attend the interview on Monday night and to attend this meeting tonight. The Selectmen and the Conservation Commission discussed dates that the Commission would submit names for the Board's consideration. **Healy-Coffin amended her motion to have a name provided to the Board by August 12, 2003. VOTE on Healy-Coffin's motion: UNANIMOUS.** Romeo asked the candidates from last night's interviews to address any complaints to him about moving the appointment date. Romeo stated that the Selectmen and Conservation Commission need to find the best candidate for the job and do what is best for Westford.

**b) Terms of Marilyn Frank, Mary Trubey, & Peter Mahler** – **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to re-appoint Marilyn Frank, Mary Trubey and Peter Mahler for a 3-year term to the Westford Conservation Commission.**

**Cable Advisory Committee** – Dave Levy, Chairman, reported that Ken Woods and Jeff Hill are taking a hiatus from the committee. Silva praised Levy calling him an asset

to the Town for his dedication to the Cable Advisory Committee. **It was moved by Jefferies, seconded by Silva, and VOTED UNANIMOUSLY, to re-appoint Dave Levy to the Cable Advisory Committee.**

### **Joint Board Meeting with Board of Health to Appoint Member to Board Vacancy**

Zac Cataldo, Joanne Martel and Todd Lobo, Board of Health, met with the Board to appoint a member to the Board of Health. **It was moved by Healy-Coffin, seconded by Silva, and VOTED UNANIMOUSLY, to appoint Tom Mahana to the Board of Health.**

### **Licenses and Permits**

**One-Day License for Fletcher Club, Clambake, August 12, 2003 12:00-5:00 p.m. – It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.**

**Request to Hold “Walk for Education”, October 19, 2003 –** Stephanie Sullivan, a member of the Westford Education Foundation design team, was present seeking permission to hang a banner from October 13 – 19, 2003. Sullivan explained the Foundation’s mission is to raise money to fund innovative and professional development grants for teachers beyond the scope of the approved public school budget in Westford. **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve the banner request.**

### **Proposal from Cable Advisory Committee to Expand “Charter”**

Dave Levy, Chairman of the Cable Advisory Committee (CAC), submitted to the Board a *CAC Report: Expansion of Cable Committee Charter*, dated June 24, 2003. Levy read the rationale for expanding the CAC charter. Levy also recommended changing the committee name to “*Communications Advisory Committee*”. **It was moved by Healy-Coffin, seconded by Silva, and VOTED UNANIMOUSLY, to accept the proposed charter as provided by Dave Levy dated June 24, 2003.**

### **Minutes**

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSTAINING (Healy-Coffin), to approve the minutes of May 27, 2003 regular session.

It was moved by Jefferies, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSTAINING (Healy-Coffin), to approve the minutes of May 27, 2003 executive session but NOT release to the public.

### **Old/New Business**

**Town Manager Evaluation –** Romeo asked the Board to provide completed evaluation forms to Chris Liebke, Human Resources Director, for processing. To be discussed on July 8, 2003.

**Millennium School –** Ledoux reported that at the meeting of May 27<sup>th</sup> the Board met with Steve Foster, School Superintendent and Bill Olsen, Assistant School

Superintendent, regarding the reuse of the Millennium School. It was the direction of the Board at that meeting that Ledoux would meet with Foster and Olsen to work out the best solution for the reuse of the Millennium School. Ledoux further reported that the School Administration office is currently in the process of moving into the building and installing telephone lines. Ledoux stated that he has not had the opportunity to speak to Foster. Ledoux suggested asking the School Committee to hold off for a period of time. Romeo stated that Foster and Olsen were going to work with Ledoux on this matter. Romeo recommended inviting Foster and Olsen to the July 8<sup>th</sup> meeting for further discussion. Jefferies stated that the Board should issue and cease and desist order because July 8<sup>th</sup> might be too late. **It was moved by Jefferies, seconded by Loiselle for discussion, that there be no further activities involved in moving into the Millennium School by any departments of the Town until such time as the School Superintendent and Town Manager work out exactly how this is going to be done.** Romeo stated that everyone needs to work together on a solution. Jefferies pointed out that Foster and Olsen met with the Board and now they are moving into the building. Jefferies further pointed out that the procedures were definitely discussed. Jefferies ask that the Board make a definite vote that says nothing is going to happen until we can work it out. **VOTE on Jefferies' motion: UNANIMOUS.** Romeo asked Ledoux to invite the School Committee and/or Foster and Olsen to the July 8<sup>th</sup> meeting.

### **Board Reports/Updates**

**Stony Brook Master Plan Committee** – Healy-Coffin announced that the Stony Brook Master Plan Committee would be meeting on Wednesday, June 25, 2003, at 7:30 a.m., Tadmuck Senior Center.

**Stepinski Acquisition Committee** - Silva reported that the Stepinski Acquisition Committee has been formed to investigate the possible purchase of the land adjacent to the Stony Brook site. Romeo reported that he received a request from Leslie Thomas to have a Board representative for the Stepinski Land Acquisition Committee. Silva volunteered to be the Board's represent-ative. Healy-Coffin asked if the Board had a formal recognition of that committee and who had the authority for the appointments. Ledoux to investigate and report back to the Board on July 8<sup>th</sup>.

**Town Clerk** – Ledoux announced that Kaari Tari, Town Clerk, gave birth to a baby boy on June 14, 2003.

**Town Hall Clean Up Day** – Ledoux reported that the clean up day on June 13<sup>th</sup> went well. Jane Hinckley, Historical Commission and Ellen Harde, Town Moderator, were in attendance.

### **All Boards Meeting – Route 225 Bypass Road Discussion**

**In attendance:** Peter Fletcher, Chairman, Andrea Peraner-Sweet, Michael Green, Robert Shaffer, Fred Palmer-Planning Board; Tim Greenhill-Town Planner; Norman Khumalo-Assistant Town Planner; Eric Fahle-Chairman, Margaret Wheeler, Mary Trubey, Marilyn Frank, Peter Mahler-Conservation Commission, Ron Desrosiers-Meridian Associates; Richard Bryant-Rizzo Associates; Jeff Bridge-Mason & Associates; Beverly Woods-Northern Middlesex Council of Governments (NMCOG); Richard

Barrett-Highway Superintendent; Jim Arsenault-Town Engineer; Robert Welch-Police Chief; Richard Rochon-Fire Chief; Board of Health members, Audience Members

Ron Desrosiers, Meridian Associates, the Town's traffic consultant, made a presentation showing a Plan of Route 110 Roadway Improvement Alternatives and a Plan of Route 225 Bypass Road Alternative.

Jeff Bridge, Mason & Associates, Wetlands Scientist, sub-consultant to Meridian Associates, summarized the Preliminary Wetlands Report regarding the existing conditions of the wetlands. The findings of the report were presented to the Westford Conservation Commission on June 11, 2003.

Richard Bryant, Rizzo Associates, representing the Gutierrez Company, made a presentation regarding Community Character Differences; Traffic Volume Impacts; Connector Road Public Benefits; Connector Road Public Benefits with Westford Tech Park West; Land Development Opportunities without the Connector Road; Land Development Opportunities with the Connector Road; Westford Tech Park West Interim Improvements at Concord Road; and Westford Tech Park West Proposed Improvements at Concord/Power Roads; Comparison of Alternatives with Connector Road – Route 110: 2-3 Lanes Wide, 3 New Signals, 13,000 ADT, Buffer Loss of 0.3 Acres, Site Access: 8 Access Points to Disperse Traffic; No Connector Road – Route 110: 4-5 New Lanes Wide, 6 New Signals, 25,000 ADT, Buffer Loss of 1.7 Acres, Site Access: 5 Access Points to Disperse Traffic.

Members of the Board of Selectmen, Conservation Commission, and Planning Board asked clarification questions of Desrosiers, Bridge, and Bryant.

Eric Fahle, Conservation Commission Chairman, reported that there are three problematic issues: the wetlands fillings, the vernal pool and grading of the road is unknown, and the impact of road salt, etc. on the vernal pools. Peter Mahler, Conservation Commission, pointed out that widening of the bypass road could require additional wetlands filling which would need to be reviewed by the Commission.

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Mike Green, Planning Board Vice-Chairman, stated improvements need to be made to the 310 Littleton Road entrance with or without the bypass road. Green stated that the Planning Board has not taken a position and is still investigating a number of these alternatives.

Peter Fletcher, Planning Board Chairman, stated that when the Planning Board layouts out road it tries to lessen traffic congestion and increase public safety. Fletcher reported on a meeting with the State last week. The State wants the Power Road intersection improved even if the bypass road does not go through.

Richard Barrett, Highway Superintendent, reported that the Town has been studying this for almost 10 years and that the Selectmen were opposed to traffic lights at that time. Barrett stated that there are serious traffic and safety issues that must be resolved. Barrett stated that the Highway Department is in favor of the bypass road.

## **Public Input**

Richard Emmet, 224 Concord Road, asked where the traffic coming from Minot's Corner down Route 110 would end up using the bypass road plan. Bryant estimated that some of the traffic will turn left to Power Road and some will continue through to the office park. Emmet stated that the plan had half of the traffic from the site using the bypass road then onto Route 110. Emmet felt it was simpler for drivers to continue on Route 110. Emmet asked if any other wetland delineations or studies had been done since 1999 north of NETSCOUT relative to the possible widening of Route 110. Emmet also asked if the wetlands map was a complete map of the wetlands on Route 110 or if there was any evidence of vernal pools on Route 110. Desrosiers indicated that studies have not been done and pointed out the delineated wetlands on the map.

Peter Severance, 3 Snow Drive, was concerned with the additional traffic drivers will encounter when trying to turn left onto Power Road. Severance asked if there were any residents or business owners from Route 110 present at the meeting. Romeo stated that there were no residents or business owners from Route 110 present. Severance asked to go without the bypass road and keep traffic on Route 110 given the environmental and neighborhood issues.

Mike Ahern, 10 Bear Hill Terrace, asked for clarification regarding the parking space capacity and the additional number of trips. Bryant stated that the numbers were based upon peak hour volume and noted that employees do not get to work at the same time. Bryant stated that the number came from actual counts. Ahern stated that with 1,700 trips it would add 800 additional cars to Minot's Corner. Ahern asked if anyone looked at the impacts to Minot's Corner. Fletcher stated that there are plans to look at Minot's Corner. Ahern asked if the Town had control how the road improvements would be phased in. Bryant

stated that they are working with staff on a phasing program which would be approved by the Planning Board.

Amy Coull, 7 Banbury Drive, felt that a traffic light was needed at the buildings where there is going to be a back up of traffic. Bryant stated that during the planning process it was concluded that a light was not needed at that location. Bryant stated that there will be a left turn lane on the bypass road. Coull asked if the road improvements included re-grading for better site distance on Concord/Power. Coull stated that it is difficult to see the traffic. Desrosiers stated that Mass Highway has required traffic improvements for better site distance.

Emily Teller, 9 Texas Road, suggested that the traffic come in at NETSCOUT and go straight across Robbins Road which would not impact the wetlands and would do intra-park routing. Teller felt that the access from Robbins Road at Lucent was sufficient. Teller asked if anyone thought about a smaller bypass road.

Tom Spuhler, 232 Concord Road, showed two plans of suggested alternatives. One plan would eliminate the bypass road and one plan would minimize the bypass road. Jefferies noted that Spuhler's plans do not address public safety issues.

Ellen Emmet, 224 Concord Road, stated that she has been hearing about the character of Route 110. Emmet questioned the character and pointed out that Route 110 is Westford's chief traffic route and not some beautiful area.

Karen Hudson, 35 Carlisle Road, stated that it is dangerous taking a left turn from Power Road and asked if there are any improvements planned for the start of Power Road. Romeo stated that improvements are being contemplated. Hudson stated that she would rather take Route 225 and then left onto Carlisle Road which is also a dangerous intersection.

Al Nudler, 176 Concord Road, questioned how putting more cars with the bypass road would address safety issues. Nudler preferred not creating the bypass road because it would bring more cars from Minot's Corner creating more safety issues and facilitating traffic cutting through Town. Nudler was concerned that the bypass road would bring additional ramps to Route 495 as posted on the Selectmen's list of long-term goals. Jefferies clarified that the Board asked Senator Panagiotakos and Rep. Hall to pursue the question of whether slip ramps increase or decrease traffic into neighborhoods. Romeo stated that there will be an examination of what is best for the community with input from the community and NMCOG. Nudler asked if there were any discussions of putting ramps from Westford Tech Park East to relieve traffic from Minot's Corner. Nudler was disappointed that there were no signs posted around town advertising this meeting.

Marian Harman, 10 Chamberlain Road, stated that she had measured wetland "C" to be 12,000 square feet which exceeds the threshold to be protected by the State. Harman stated that the vernal pools are protected by the State and the Town Wetlands Bylaw. Harman stated that the road near wetland "D" was clearly a violation of the State and Town Wetlands Bylaws and is detrimental to the habitat. Harman felt that if the bypass road was not constructed, the clearing needed for the intersection improvements would not be as detrimental as the bypass road and the area would re-vegetate and be used for habitat.

Melissa Faherty, Rail Tree Terrace, stated that the Route 110 light with the bypass road was not presented at the Planning Board meeting. Faherty asked if Route 110 at Power Road would be widened. Faherty asked for data regarding the failure level of Minot's Corner. Faherty asked how putting a light at the intersection would impact Minot's Corner. Desrosiers stated that the data to date from Gutierrez has not included analysis of the signalization of the Power/Littleton Road intersection. Desrosiers felt that the intersection should be upgraded and signalized regardless of the bypass road.

Bill Faherty, Rail Tree Terrace, felt that Bryant did not show all of the impacts. Faherty stated that he has been hearing that the bypass road is an easy way out for Gutierrez. Faherty stated that the people at the meeting do not want the bypass road. Faherty stated that there is a perception that the bypass road is a "done deal" and that Rizzo and Gutierrez should not get the go ahead tonight because of the number of questions and details coming out late. Romeo stated that the bypass road is not a "done deal" as far as the Selectmen are concerned. Romeo stated that everyone must work together as a community for what is best for the entire Town.

Desrosiers stated that if you look at the project as a whole, the bypass road is the safer option from a traffic engineering point of view.

Romeo felt that there was not enough information to give direction tonight and noted that the Planning Board has not given a recommendation. Romeo stated that this is a big project with traffic being an enormous problem. Romeo suggested tabling the item until more data is received. Loiselle stated that one of the two plans will be moving forward. Loiselle felt that the bypass road was the best plan. Loiselle stated that the intersection is very dangerous and has been studied since 1994.

**It was moved by Loiselle, seconded by Healy-Coffin for discussion, to proceed with the Route 225 bypass road.**

Healy-Coffin stated that the development is not going away. Healy-Coffin felt that the bypass road was a better plan for safety issues and that the Planning Board can fine-tune the plan. Healy-Coffin stated that everyone needed to concentrate on what is going on in the development and work together for the least impact. Healy-Coffin felt that the bypass road would alleviate some of the

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traffic. Healy-Coffin urged the Planning Board to try to reduce the development as much as possible. Jefferies stated that Desrosiers said the bypass road will help with traffic. Jefferies pointed out that Boston Road, Depot Street and Tyngsborough Road will pick up the lion's share of the traffic. Jefferies was in favor of the bypass road with the provision that the tech park try to move as much traffic as possible.

Jefferies asked to add to the motion: **The Planning Board on the Board of Selectmen's behalf will look at every possibility on how we can keep the traffic out of the residential neighborhood.**

Silva stated that he was also in favor of the bypass road. Silva felt that after looking at the facts overall the bypass road was the better solution.

Loiselle accepted the amendment to the motion. The motion passed unanimously.

### **Open Items**

6/24-1 Ledoux to invite the School Committee and/or Foster and Olsen to the 7/8 meeting to discuss the reuse of the Millennium School.

6/24-2 Ledoux to determine if Board made formal recognition of Stepinski Acquisition Comm, and who has authority for appointments – to be discussed at 7/8 meeting.

### **Adjournment**

It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to adjourn the meeting at 11:05 p.m.

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Steve Ledoux, Town Manager

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Christopher Romeo, Chairman



Submitted by Beth Kinney, Recording Secretary